United Nations A/72/345

General Assembly

Distr.: General
17 August 2017

Original: English

Seventy-second session
Item 75 of the provisional agenda*
Report of the International Court of Justice

Secretary-General's trust fund to assist States in the settlement of disputes through the International Court of Justice

Report of the Secretary-General

I. Introduction

1. The present report is submitted pursuant to paragraph 16 of the revised terms of reference, guidelines and rules of the Secretary-General's trust fund to assist States in the settlement of disputes through the International Court of Justice (A/59/372, annex), and is subsequent to the report submitted to the General Assembly at its seventy-first session (A/71/339) under the item entitled "Report of the International Court of Justice".

II. Mandate

2. The trust fund was established in 1989 under the Financial Regulations and Rules of the United Nations, following consultations with the President of the International Court of Justice. In accordance with the revised terms of reference, financial assistance is to be provided to States for expenses incurred in connection with (a) a dispute submitted to the Court by way of a special agreement, on the basis of Article 36, paragraph 1, of its Statute; (b) a dispute submitted to the Court by way of an application on the basis of Article 36, paragraphs 1 and 2, of its Statute, provided certain conditions are fulfilled (see A/59/372, annex, para. 6 (ii)); or (c) the execution of a judgment of the Court.

III. Beneficiaries

3. Subject to the requirements of paragraph 6 of the revised terms of reference, an application for financial assistance from the fund may be submitted by any State Member of the United Nations, any other State party to the Statute of the

* A/72/150.

17-14215 (E) 240817

Please recycle

International Court of Justice or any State not party to the Statute of the Court having complied with Article 35, paragraph 2, of the Statute.

4. During the period under review (1 July 2016 to 30 June 2017), the fund did not receive any new applications. In the previous reporting period, following a recommendation of the Panel of Experts established in accordance with paragraph 9 of the revised terms of reference, the Secretary-General made a determination to provide financial assistance in the amount of $125,000 to Burkina Faso and $125,000 to the Niger to defray the costs of the execution of the Judgment of the International Court of Justice in the case *Frontier Dispute (Burkina Faso/Niger)* in line with paragraph 6 (b) of the revised terms of reference. In accordance with paragraph 13 of the revised terms of reference, 50 per cent of the award was paid in the form of an advance in the month of January 2017. Arrangements for the final payments will be made upon provision of the "receipts evidencing actual expenditures for the total amount of the approved costs" as required in paragraph 13 of the revised terms of reference.

IV. Contributions

5. Voluntary contributions to the fund may be made by States, intergovernmental organizations, national institutions and non-governmental organizations, and by natural and juridical persons.

6. During the period under review, Finland and Switzerland made the following voluntary contributions to the fund:

State	*Amount (United States dollars)*	*Financial year*
Finland	10 428	2017
Switzerland	9 678	2016
Total	**20 106**	

7. As at 30 June 2017, the total balance of the trust fund was $3,127,632.

V. Needs assessment

8. The Charter of the United Nations, in Article 1, paragraph 1, recognizes the settlement of international disputes by peaceful means, and in conformity with the principles of justice and international law, as one of the basic purposes of the United Nations and as an essential tool for the maintenance of international peace and security. The Court is the principal judicial organ of the Organization. As noted above, the fund was created with a view to facilitating a decision by parties to a dispute to seek judicial settlement of their dispute through the Court. While Member States continue to provide financial contributions to the fund, the number of such contributions remains very low. All States and other relevant entities are therefore urged to give serious consideration to making contributions to the fund, substantially and on a regular basis.

VI. How to contribute

9. Voluntary contributions to the fund can be made by bank transfer or by cheque. Cheques should be to the order of the United Nations general trust fund, indicating "ICJ trust fund (TJA)" in the reference field, and sent to:

United Nations Headquarters
United Nations Treasury
New York, N.Y. 10017
United States of America

Attention: Room No. S-2011

For bank transfer details, please contact the United Nations Treasury (unhq-cashier-office@un.org).

10. For any additional information, please contact the Office of the Legal Counsel, Office of Legal Affairs (tel: + 1 212 963 3999; fax: + 1 212 963 6430).